

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



January 15, 1993

ALL COUNTY LETTER NO. 93- 08

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by SDSS

SUBJECT: IMPLEMENTATION OF MONTHLY AFDC PAYMENTS' REGULATIONS PACKAGE

REFERENCES: ALL COUNTY INFORMATION NOTICE (ACIN) I-57-92

The purpose of this letter is to notify you that the regulations authorizing counties to issue AFDC payments monthly rather than semimonthly became effective January 1, 1993.

Conversion to monthly payments is optional. Except for the monthly payment option, these regulations do not supersede existing policies or practices concerning the timing of warrants or the provision of timely notice as required by the Saldivar vs. McMahon decision. Counties opting to convert to monthly payments must provide a 90-day notice to this Department, and a 30-day notice to recipients prior to the conversion as specified in the attached regulations package.

If you have questions, please contact Julie Lopes at (916) 654-1786 or CALNET 454-1786.

Sincerely,

MICHAEL C. GENEST
Deputy Director
Welfare Programs Division

Attachments

Adopt Section 40-016 to read:

40-016 IMPLEMENTATION OF MONTHLY AFDC PAYMENT SYSTEM (MAP) REGULATIONS 40-016

- | | | |
|-----------|-------------------------|---|
| <u>.1</u> | <u>Effective Date</u> | <u>This regulatory action shall be effective January 1, 1993.</u> |
| <u>.2</u> | <u>Sections Adopted</u> | <u>44-304 Aid Payment Schedules</u> |
| <u>.3</u> | <u>Sections Amended</u> | <u>44-305.2 Time of Delivery</u>
<u>44-305.3 Alternate Payment Systems</u> |
| <u>.4</u> | <u>Changes</u> | <u>Section 44-304 is being adopted to provide counties the option of issuing AFDC warrants monthly rather than semimonthly and to relocate language in part from Section 44-305.2.</u>

<u>Sections 44-305.2 through .29 are being repealed to relocate these provisions to newly adopted Section 44-304.</u>

<u>Section 44-305.3 is being renumbered to Section 44-305.2 to conform to the numbering sequence within this section.</u>

<u>Sections 44-305.23, .231 and .232 are being relocated from Sections 44-305.222a. and b. and amended for consistency and clarity.</u> |

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 10554, Welfare and Institutions Code.

Adopt Section 44-304 to read:

44-304 AID PAYMENT SCHEDULES

44-304

.1 Forwarding of Warrants

When an AFDC warrant is mailed, the envelope containing the warrant shall bear a statement that the warrant is not to be forwarded and that an address correction is requested (Welfare and Institutions Code Section 11006.4).

.2 Frequency of Delivery

Except for counties with approved alternate payment systems counties shall select either semimonthly or monthly delivery of payments.

.3 Changes in Frequency

Counties shall, when electing to change frequency of delivery:

.31 SDSS Notification

Notify SDSS in writing at least 90 calendar days prior to converting from one payment frequency to another.

.32 Recipient Notification

Notify all recipients of AFDC in writing at least 30 calendar days prior to converting from one payment frequency to another.

.4 Recipient Option

Counties opting for a monthly payment system shall be permitted to offer recipients the option of receiving semimonthly payments on a case-by-case basis. The total number of recipients receiving semimonthly payments shall not exceed 50% of the county's caseload.

.5 Standard Delivery Dates

.51 Semimonthly Delivery

The county shall deliver ongoing payments as follows when the county has selected semimonthly delivery:

.511 First Warrant

The county shall place the first warrant in the mail in time to be received by the first day of the payment month unless the county received the completed CA 7 (Rev. 6/92) after the tenth day prior to the end of the report month.

If the completed CA 7 is received after the tenth day prior to the end of the report month, but on or before the first day of the payment month, the county shall not delay the payment and shall place the warrant in the mail in time to be received by the first calendar day of the payment month if possible, but not later than the tenth calendar day of the payment month.

.512 Second Warrant

The county shall place the second warrant in the mail in time to be received by the 15th calendar day of the payment month.

.52 Monthly Delivery

The county shall place the warrant in the mail in time to be received by the first calendar day of the payment month unless the completed CA 7 is received after the tenth day prior to the end of the report month.

If the completed CA 7 is received after the tenth day prior to the end of the report month, but on or before the first day of the payment month, the county shall not delay the payment and shall place the warrant in the mail in time to be received by the first day of the payment month if possible, but not later than the tenth day of the payment month.

.6 Exceptions to Standard Delivery Date

The county shall deliver:

.61 Holiday/Weekends

On the last postal delivery day preceding a holiday or weekend when the holiday or weekend will delay delivery past the specified date of delivery.

.62 Initial Payment

Initial payments promptly but no later than 10 calendar days after authorization of aid or the beginning date of aid, whichever is later.

.63 Other Types of Delivery

Payment to the recipient on the last working day prior to the specified delivery date when the payment is to be delivered by means other than the mail.

.64 Late Payments

Payments that cannot be authorized before the date for regular aid payments as soon as administratively feasible.

- .65 Out-of-County Payments out of the county as soon as administratively feasible.
- .66 Vendor Payments Payments according to specified intervals to third parties or vendors when requested by the recipient.
- .7 Recipient Dies If a warrant is cashed but the recipient subsequently dies or becomes ineligible for aid there is no right to recovery.

Authority Cited: Sections 10553, 10554, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 11455 and 11006.2, Welfare and Institutions Code, 45 CFR 206.10 (a) (6) (D), 45 CFR 233.23, 45 CFR 233.29(a)-(d), 45 CFR 233.31(b)(4), 45 CFR 233.32 and Balderas v. Woods Court Order.

Repeal Sections 44-305.2 through .29, renumber Sections 44-305.3 through .326 to 44-305.2 through .226 respectively, relocate Sections 44-305.222a. and b. to Sections 44-305.23, .231 and .232 and amend, adopt Section 44-305.24 to read:

44-305 AID PAYMENTS - PAYEE AND DELIVERY

44-305

.1 (Continued)

HANDBOOK BEGINS HERE

12 Time of Delivery

121 Forwarding of Warrants

1211 When an AFDC warrant is mailed/ the envelope containing the warrant shall bear a statement that it is not to be forwarded and that an address correction is requested/ Welfare and Institutions Code Section 11006.41/

1212 Repealed by SDSS Manual Letter No/ EAS-89-04/ effective 7/1/89/

HANDBOOK ENDS HERE

122 Aid Payments to AFDC Recipients

1221 Except for counties with approved alternate payment systems/ families on money management and children in foster care/ regular aid payments to AFDC families shall be delivered semi-monthly in advance as follows/

a/ The first warrant shall be placed in the mail in time to be received by the first day of the calendar month/ unless the county received the complete MONTHLY ELIGIBILITY REPORT (EX 7) (see Section 40181.241) after the tenth day prior to the end of the report month/ In this case/ the first warrant shall be mailed as soon as administratively feasible/ but no later than in time to be received by the tenth calendar day of the payment month/

b/ The second warrant shall be placed in the mail in time to be received by the fifteenth of the month/

1222 Aid payments to AFDC families residing in counties with approved alternate payment systems shall be made in two installments during the payment period as follows/

- a/ The first warrant shall be placed in the mail in time to be received by the first day of the AFDC family's assigned payment period/ unless the county received the complete MONTHLY Eligibility Report (CA 7) (see Section 40+181/241) after the tenth day prior to the end of the report period/ In this case/ the first warrant shall be mailed as soon as administratively feasible/ but no later than in time to be received by the 10th calendar day of the AFDC family's assigned payment period/
- b/ The second warrant shall be placed in the mail in time to be received by the fifteenth day of the assigned payment period/
- 123 Whenever it is apparent that intervening holidays and weekends will delay delivery past the specified date the warrant shall show the specified date but shall be placed in the mail in order to be delivered on the last postal delivery day preceding such date/
- 124 Repealed by Manual Letter Number 81/82 (1/1/82)/
- 125 An exception to delivery by the dates specified above may be made in those cases where payment at different intervals is directed by the Services System for a family with a money management problem/ (See Section 44+307/71)
- 126 The initial aid payment (see Section 44+319) shall be delivered promptly to AFDC family groups (including AFDC+U cases) without respect to the above specified dates but not later than 10 calendar days following the authorization of aid or (b) the effective date of aid/ whichever is later/
- 127 When a warrant is delivered by means other than the mails/ it shall be available for delivery to the recipient on the last working day prior to the specified delivery date/
- 128 The county shall meet this requirement to the extent it is administratively feasible for payments that cannot be authorized before the cutoff date for the regular aid payrolls/ and for payments being delivered out of the county/
- 129 If a warrant is cashed but the recipient subsequently dies or becomes ineligible for aid between the delivery date and the date of the warrant/ there is no right to recovery/

.32 Alternate Payment System

.321 (Continued)

.322 (Continued)

.3221 (Continued)

.3222 The aid warrant shall be placed in the mail in time to be delivered on the dates specified under Section ~~44-303/222~~ 44-305.23.

.3223 In the event that there is no mail delivery on the date specified for delivery of the aid payments, the warrant shall be delivered in accordance with the provisions of Section ~~44-303/23~~ 44-304.61.

.3224 (Continued)

.3225 (Continued)

.3226 (Continued)

/222 .23 Aid payments to AFDC families residing in counties with approved semimonthly alternate payment systems shall be made in two installments during the payment period as follows:

a/ .231 The county shall place the first warrant shall be placed in the mail in time to be received by the first day of the AFDC family's assigned payment period, unless the county received the completed MONTHLY ELIGIBILITY REPORT (CA 7) (Rev. 6/92) (see Section 40-181/241) after the tenth day prior to the end of the assigned report period. In this case, the first warrant shall be mailed as soon as administratively feasible, but no later than in time to be received by the 10th calendar day of the AFDC family's if the CA 7 is received after the tenth day prior to the end of the assigned payment report period, but on or before the first day of the assigned payment period, the county shall not delay the payment and shall place the first warrant in the mail in time to be received by the first day of the assigned payment period if possible, but not later than the tenth day of the assigned period.

b/ .232 The county shall place the second warrant shall be placed in the mail in time to be received by the fifteenth 15th day of the assigned payment period.

.24 The exceptions to standard delivery dates specified in Section 44-304.6 shall be applicable to counties that have alternate payment systems.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: 45 CFR 233.29, 45 CFR 233.31(b)(4) and 45 CFR 233.32.